

William L. Hames, WSBA #12193
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re: } Lead Case No. 19-00473-FPC11
R & R TRUCKING, INC., and RICARDO } Jointly Administered
AND ROSA CANTU, }
Debtors. } MOTION TO APPROVE ADEQUATE
} PROTECTION AGREEMENT AND
} NOTICE THEREOF

Come now the debtors, by and through their attorney William L. Hames of Hames, Anderson, Whitlow & O'Leary, P.S., and move the above-entitled court for an order approving the Stipulated Adequate Protection Agreement for payments to Volvo Financial Services, a division of VFS US, LLC ("Volvo"). The Stipulated Adequate Protection Agreement (the "Agreement") is attached to the Declaration of William L. Hames.

The cash collateral order in this case was approved on June 3, 2019 (ECF 58). Volvo is identified as a cash collateral creditor in the cash collateral motion and order. Debtors borrowed \$348,748.00 to purchase Volvo tractors. Volvo perfected its interest as it is listed on the Certificates of Title for each vehicle. Debtors are in default and have not made payments since filing. The cash collateral order in this matter indicates

**MOTION TO APPROVE ADEQUATE
PROTECTION AGREEMENT AND NOTICE
THEREOF - 1**

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1 that Debtors may use cash collateral to make payments to creditors if there is a court-
2 approved Adequate Protection Agreement.

3 This motion is to approve the Stipulated Adequate Protection Agreement. The
4 Agreement calls for Debtor to make \$3,000 per month payments to Volvo commencing
5 upon entry of the Order Approving the Stipulated Adequate Protection Agreement.
6 Debtors are currently using the equipment purchased from Volvo and adequate
7 protection is required under 11 U.S.C. § 362.

8 **NOTICE**

9 **IF YOU OBJECT TO THE RELIEF REQUESTED ABOVE, YOU MUST FILE A**
10 **WRITTEN OBJECTION WITH THE CLERK OF THE ABOVE-ENTITLED COURT**
11 **AND REQUEST A HEARING AT PO BOX 2164, W. 904 RIVERSIDE, ROOM 321,**
12 **SPOKANE, WASHINGTON 99210, ON OR BEFORE 24 DAYS (21 DAYS PLUS 3**
13 **DAYS FOR MAILING) FROM THE DATE OF THIS NOTICE AND SERVE A COPY**
14 **ON THE UNDERSIGNED AT 601 W. KENNEWICK AVENUE, PO. BOX 5498,**
15 **KENNEWICK, WASHINGTON 99336; AND UPON THE OFFICE OF THE UNITED**
16 **STATES TRUSTEE, NORTH 221 WALL STREET #538, SPOKANE, WA 99201.**

17 **SHOULD YOU FAIL TO OBJECT AS SET FORTH ABOVE, PLEASE**
18 **FURTHER BE ADVISED THAT THE RELIEF REQUESTED MAY BE GRANTED**
19 **WITHOUT FURTHER NOTICE TO YOU.**

20 DATED this 24th day of January 2020.

21 HAMES, ANDERSON, WHITLOW & O'LEARY, P.S.
22 Attorneys for Debtors

23 BY: /s/ William L. Hames

24 WILLIAM L. HAMES, WSBA #12193

25
MOTION TO APPROVE ADEQUATE
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